THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 8388 OF 2006

BETWEEN:

K.Gangadhar son of Balachandram

…Petitioner

vs.

The Superintendent of Police, karimnagar and two others.

…Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 8388 OF 2006

ORAL ORDER

Complaining that the 3rd respondent along with some anti-social elements is indulging an unlawful activities and interfering the petitioner's possession and

enjoyment of land in an extent of Ac.1.49 guntas in Sy.No.375, Yellareddypet village and Mandal, Karimnagar District, the petitioner submitted a complaint to the 1st and 2nd respondents. On the said complaint forwarded by the 1st respondent to the 2nd respondent, according to the counter-affidavit filed by the 2nd respondent, the 2nd respondent conducted enquiries and came to the conclusion that there are pending disputes with regard to the lands, between the petitioner and the 3rd respondent, the disputes are purely civil in nature and that there was no cognizable offence committed by the 3rd respondent that was made out. The counter-affidavit of the 2nd respondent states that the answering respondent is always ready and willing to provide police protection as and when the petitioner approaches the said respondent. The respondent has denied the allegation that no action was taken on the petitioner's representation dated.10-03-2006.

As is apparent from the complaint dated.10-03-2006 addressed to the 1st respondent no specific facts constituting information as to the commission of cognizable offence by the 3rd respondent is asserted. In the circumstances the 1st and 2nd respondents are not obliged to register the F.I.R and take up investigation. The petitioner cannot seek a permanent police protection for his lands as there are not enough police force in the State to enable protection of every property under threat. The petitioner will have to pursue his own remedies by engaging security personnel, watch and ward or otherwise, to protect his lands. Only when information regarding the commission of a cognizable offence is made out, is the police liable to register the complaint and take up investigation and do the needful.

On the analysis above no case is made out for interference. The writ petition is dismissed. No order as to costs.

_____

GODA RAGHURAM,J

15th JUNE 2006

*TSNR